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December 13, 2017

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: Southern Current LLC; Cypress Creek Renewables, LLC; and Birdseye
Renewable Energy, LLC
Docket No. 2017-332-E

Dear Ms. Boyd:

On December 11, 2017, Complainants in the above-referenced docket filed a Motion to Amend the Complaint that Complainants previously filed with the Commission in this docket on October 27, 2017 ("Complaint"). Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP," and, together with DEC, the "Companies") have advised Complainants that they do not oppose Complainants' request to amend the Complaint. However, the Companies reserve their rights to object to the content of the amended Complaint, as the Companies have not yet seen the amended pleading. Also, the Companies disagree with the characterization of the "issue of retroactivity" as "pending before this Commission and ripe for a decision. . . ." Motion to Amend at ¶ 5. The "issue of retroactivity" is not "ripe for a decision" because the Companies have not yet answered the allegations contained in the Complaint, nor has the Commission received any evidence in this proceeding.

The Companies are also filing this letter as the Commission has directed the Companies to answer to the Complaint no later than December 15, 2017. However, Complainants' Motion to Amend also requests that the Companies' previously scheduled Answer be removed and that the Commission allow the Companies additional time after the holidays to answer Complainants' amended Complaint. Motion to Amend at ¶ 7-8. The Companies respectfully request a Standing Hearing Officer directive confirming that, given Complainants' Motion to Amend, the Companies are relieved from the requirement to file an Answer on December 15, 2017, and the Commission will instruct the Companies on the deadline for filing an Answer once the amended Complaint is received by the Commission.

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Finally, the Companies note that they do not object to the appointment of a Hearing Officer, as requested by Complainants on December 5, 2017.

Please do not hesitate to contact me with any questions.

Sincerely,



Rebecca J. Dulin

cc: Parties of Record (via email)
Joseph M. Melchers, General Counsel (via email)
David Butler, Senior Counsel (via email)
Josh Minges, Counsel (via email)